

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COUNSEL IDENTIFICATION ON FINAL PAGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNCIL, *et al.*,

Plaintiffs,

v.

DAVID BERNHARDT, in his official
capacity as Secretary of the Interior, *et al.*,

Defendants.

SAN LUIS & DELTA MENDOTA
WATER AUTHORITY, *et al.*,

Defendants-Intervenors.

ANDERSON-COTTONWOOD
IRRIGATION DISTRICT, *et al.*,

Joined Parties.

Case No. 1:05-cv-01207 LJO-EPG

**STIPULATION AND SCHEDULING
ORDER**

1 **RECITALS**

2 WHEREAS, on November 13, 2019, the Court directed the parties to brief all proposed
3 motions (to dismiss, reconsider, and stay) such that those motions are ripe no later than December
4 23, 2019, and directed the parties to meet and confer in an attempt to agree upon a schedule for
5 their filings, ECF No. 1378;

6 **STIPULATION**

7 NOW THEREFORE, counsel for Plaintiffs and Defendants hereby stipulate to the
8 following briefing schedule:

Event	Deadline
Defendants’ supplemental motions to dismiss	November 19
Plaintiffs’ motion to stay	December 2
Defendants’ oppositions to motion for reconsideration	December 3
Plaintiffs’ opposition to motions to dismiss	December 10
Plaintiffs’ reply in support of motion for reconsideration	December 16
Defendants’ oppositions to motion to stay	December 16
Defendants’ replies to motions to dismiss	December 23
Plaintiffs’ reply to motion to stay	December 23

16
17 DATED: November 15, 2019

/s/ Katherine S. Poole
Katherine S. Poole

KATHERINE POOLE (SBN 195010)
DREVET HUNT (SBN 240487)
DOUGLAS ANDREW OBEGI (SBN 246127)
NATURAL RESOURCES DEFENSE COUNCIL
111 Sutter Street, 21st Floor
San Francisco, CA 94104
Telephone: (415) 875-6100
Facsimile: (415) 875-6161
kpoole@nrdc.org; dobegi@nrdc.org

Attorneys for Plaintiff NRDC

HAMILTON CANDEE (SBN 111376)
DANIELLE LEONARD (SBN 218201)
BARBARA JANE CHISHOLM (SBN 224656)
CORINNE JOHNSON (SB 287385)
ALTSHULER BERZON LLP
177 Post St., Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
Facsimile: (415) 362-8064

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorneys for Plaintiff NRDC

STACEY P. GEIS (SBN 181444)
NINA C. ROBERTSON (SBN 276079)
MARIE E. LOGAN (SBN 308228)
EARTHJUSTICE
50 California St., Suite 500
San Francisco, CA 94111
Telephone: (415) 217-2000
Facsimile: (415) 217-2040
sgeis@earthjustice.org;
nrobertson@earthjustice.org;
mlogan@earthjustice.org;

Attorneys for all Plaintiffs

DATED: November 15, 2019

/s/ Nicole M. Smith

NICOLE M. SMITH
U.S. Department of Justice
Environment & Natural Resources Division
150 M St. NE
Washington, DC 20044-7611
(202) 305-0368 (tel)
(202) 305-0275 (fax)
Nicole.M.Smith@usdoj.gov

Attorneys for Federal Defendants

DATED: November 15, 2019

/s/ Andrew Hitchings

Andrew Hitchings
SOMACH SIMMONS & DUNN
A Professional Corporation
500 Capitol Mall, Suite 1000
Sacramento, CA 95814
Telephone: (916) 446-7979
Facsimile: (916) 446-8199

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attorneys for Intervenors and Joined Party
Defendants GLENN-COLUSA IRRIGATION
DISTRICT, PRINCETON-CODORA-GLENN
IRRIGATION DISTRICT, PROVIDENT
IRRIGATION DISTRICT, ANDERSON-
COTTONWOOD IRRIGATION DISTRICT, CITY
OF REDDING, M & T CHICO RANCH (PACIFIC
REALTY ASSOCIATES), RECLAMATION
DISTRICT NO. 1004, CONAWAY
PRESERVATION GROUP, LLC, AND DAVID
AND ALICE TE VELDE FAMILY TRUST,
KNIGHTS LANDING INVESTORS, LLC, and
PELGER ROAD 1700, LLC

DATED: November 15, 2019

/s/ Meredith Nikkel
Meredith Nikkel

DOWNEY BRAND LLP
621 Capitol Mall, 18th Floor
Sacramento, CA 95814
Telephone: (916) 444-1000
Facsimile: (916) 444-2100

Attorneys for Intervenors and Joined Party
DEFENDANTS RECLAMATION DISTRICT
NO. 108, SUTTER MUTUAL WATER COMPANY,
NATOMAS CENTRAL MUTUAL WATER
COMPANY, RIVER GARDEN FARMS
COMPANY, PLEASANT GROVE-VERONA
MUTUAL WATER COMPANY, PELGER
MUTUAL WATER COMPANY, MERIDIAN
FARMS WATER COMPANY, HENRY D.
RICHTER, ET AL., HOWALD FARMS, INC., OJI
BROTHERS FARM, INC., OJI FAMILY
PARTNERSHIP, CARTER MUTUAL WATER
COMPANY, WINDSWEPT LAND AND
LIVESTOCK COMPANY, MAXWELL
IRRIGATION DISTRICT, BEVERLY F.
ANDREOTTI, ET AL. AND TISDALE
IRRIGATION AND DRAINAGE COMPANY

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

Pursuant to the Parties' Stipulation, the Court hereby ORDERS that the following schedule is established.

Event	Deadline
Defendants' supplemental motions to dismiss	November 19
Plaintiffs' motion to stay	December 2
Defendants' oppositions to motion for reconsideration	December 3
Plaintiffs' opposition to motions to dismiss	December 10
Plaintiffs' reply in support of motion for reconsideration	December 16
Defendants' oppositions to motion to stay	December 16
Defendants' replies to motions to dismiss	December 23
Plaintiffs' reply to motion to stay	December 23

IT IS SO ORDERED.

Dated: November 18, 2019

/s/ Lawrence J. O'Neill
UNITED STATES CHIEF DISTRICT JUDGE